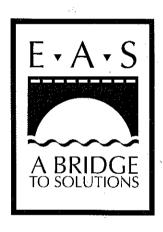
ADDRESSING VIOLENCE IN THE WORKPLACE

Including Issues of Domestic Violence

Employee Advisory Service



Olympia (360) 753-3260 Seattle (206) 281-6315 Spokane (509) 482-3686



Addressing Violence in the Workplace

Including Issues of Domestic Violence

Employee Advisory ServiceWashington State Department of Personnel

CONTENTS

	Page
Workplace Violence	3
Definition of Violence	4
Crisis Management Team (CMT)	4
Employee Advisory Service (EAS)	4
Agency Issues to Consider	5
Levels of Violence	6
Behavioral "Red Flags"	
Behavioral "Red Flags" Observation Checklist	8
Taking Action	9
Documentation	9
Actual or Potential Violence	9
Job Performance/Attendance Record Threat Incident Report (Sample)	10
Threat Incident Report (Sample)	12
Domestic Violence	13
Introduction	14
Definition of Domestic Violence	
Agency Issues/Considerations	15
Recognizing Warning Signs of Domestic	
Violence in the Workplace	16
What to Do	
Sample Safety Plan at Work	
When a Co-Worker is at Risk	19
What if Perpetrator of Domestic Violence	
Works in Your Agency?	20
Governor's Executive Order on Domestic	•
Violence in the Workplace	21
Domestic Violence Resources	

Workplace Violence

Definition of Violence

Violence can be defined as "...any act that is physically assaultive; behavior or actions that would be interpreted by a reasonable person as carrying potential for violence, i.e., throwing objects, destroying property, carrying or displaying weapons; any substantial threat to harm another individual or in any way endanger the safety of employees; any substantial threat to destroy property; obsessively directed behavior, intensely focused on a grudge, grievance, or romantic interest in another employee; or unusual, bizarre or menacing behavior or comments that could reasonably be interpreted as carrying a potential for a violent act."

Dr. William G. Durkin, EAP Manager, ARCO Petroleum Company

Crisis Management Team (CMT)

It is recommended that each agency form a Crisis Management Team. Its purpose is to assess current safety precautions and to be prepared to respond appropriately to threats and actual incidents of violence. The CMT might include representatives of human resources, management, staff members, agency legal representative and representatives of employee organizations.

Directed by your agency policy, the CMT needs to develop a functional plan to be readily available during times of crisis when people may not be thinking clearly. An Employee Advisory Service representative can help in the assessment of the problem and provide appropriate referrals for problem resolution, including post-incident debriefing of entire staff.

Employee Advisory Service (EAS)

The Employee Advisory Service maintains a network of resources to assist managers, supervisors and the troubled employee. Early involvement with EAS speeds access to the needed help. EAS is also available for those workers impacted by the troubled employee's actions.

Have These Issues Been Considered by Your Agency?

Policy: Does your agency have a written policy about violence in the workplace?

Response to Threat/Violence: Is there a well-understood procedure by which employees or managers can report incidents? Is there a procedure in place whereby an incident can be assessed and responded to quickly? Do you have a Crisis Management Team (CMT)?

Response to Domestic Violence: Are there well-understood policies and procedures in place?

Standards of Conduct: Are they clearly explained? Are they enforced in a consistent fashion?

Discipline: Is it applied consistently and fairly?

Role Modeling: Do supervisors and managers model positive behavior?

Employee Grievances: Is there a process by which employees can effectively seek resolution of problems and complaints?

Hiring: Are there adequate pre-employment screening procedures in place?

Supervisory Training: Do you have an ongoing program of supervisory skills training?

General Training: Do you provide training for employees in conflict resolution?

Pre-Planning for Major Workplace Events: Downsizing/layoffs, major reorganizations, relocation or closing of facility are examples. Plans could include consultation with EAS; outplacement assistance; training of supervisors to handle crisis situations; enhanced communications efforts; and training of employees to help them deal with change.

REMEMBER: PREPARATION MAKES ALL THE DIFFERENCE!

Levels of Violence

The following three levels of violence are not intended as a tool for diagnosis, but rather as a helpful language tool in reporting your documentation to EAS or other helping agency or agent.

Level One

- refuses to cooperate with immediate supervisor
- spreads rumors and gossip to harm others
- consistently argues with co-workers
- · belligerent toward customers/clients
- · frequently uses abusive language
- makes unwanted sexual comments

Level Two

- argues increasingly with customers, vendors, co-workers, management
- refuses to obey company policies and procedures
- · sabotages equipment and steals property for revenge
- · verbalizes wishes to hurt co-workers and/or management
- sends sexual or violent notes to co-workers and/or management
- · sees self as victim of management

Level Three

Frequent displays of anger resulting in:

- · suicidal or homicidal threats
- destruction of property
- · use of weapons to harm or threaten others
- · commission of any violent act

Behavioral "Red Flags"

Below are some of the factors that may contribute to an individual's loss of control. It is very important to understand that NO ONE FACTOR in itself can determine whether an individual is a candidate for potential violence. However, these factors can and should be considered "red flags" that managers, supervisors and personnel officers may want to consider in the referral of the troubled individual. This list is followed by a checklist form that will assist you in documenting observations in the workplace and in determining if a consultation with EAS is in order.

REMEMBER: DOCUMENT—DO NOT DIAGNOSE.

- Attendance Problems: excessive sick leave, excessive tardiness, leaving early, improbable excuses.
- Impact on Supervisor/Manager's Time: requiring inordinate amounts of time coaching or counseling and/or redoing employee's work.
- Decreased Productivity: struggling to keep up, making excessive mistakes, missing deadlines, wasting time.
- Inconsistent Work Patterns: alternating high and low productivity (monitor to see if there is a problem).
- Poor On-the-Job Relationships: belligerent behavior, overreaction to criticism, mood swings, verbal harassment toward others.
- Concentration Problems: having difficulty recalling instructions, details, and deadline requirements, distracted, absent-minded.
- Safety Issues: disregarding safety guidelines for equipment, machinery or vehicles, accident-prone, reckless.
- Poor Health and Hygiene: changing grooming habits (no make-up, hair a mess, clothes dirty or crumpled, unshaven, etc.).
- Unusual/Changed Behavior: emotional outbursts, physical violence (hitting a wall or piece of equipment), unpredictable behavior, inappropriate remarks, vague or blatant threats, strange behavior such as: referencing UFO's, the end of the world, being spied on, seeing creatures, secretive behavior.
- Fascination with Guns or Other Weapons: talking frequently about guns, obsessed with power of weapons, visiting gun shops, subscribing to gun magazines like "Soldier of Fortune."
- Evidence of Possible Drug Use or Alcohol Abuse: acting secretively around workstation, taking long lunches.
- Evidence of Serious Stress in Employee's Personal Life: crying, excessive phone calls, bill collectors, recent separation or death of loved one.
- Continual Excuses/Blame: not accepting responsibility for even the most inconsequential errors.
- Unshakable Depression: experiencing long periods of time with low energy, cynicism, despair, little enthusiasm.

Behavioral "Red Flags" Observation Checklist

Per	sonal Manner		5.	Unrealistic self-appraisal or
1	. Change in appearance or			grandiose statements
_	behavior (dress, hygiene, etc.)		6.	Temper tantrums or angry
1 2	. Speech changed or unusual			outbursts
	(incoherent, stuttering, loud)	L	7.	Demanding, rigid, inflexible
山 3	- (9)		0	behaviors
	posture changed or unusual)	_	8.	Manifests excessive sweating or hand/foot tremor
4	 Facial expressions changed or unusual 			Hand/100t treffior
□ 5	Level of activity much reduced or	Int	err	personal Work
	increased (underline applicable		-	ionships
	word)			Significant change in relations
□ 6	. Topics of conversation changed		•	with co-workers, supervisors, or
	or unusual (off topic, "magic			supervises
	powers," disjointed, unfocused)		2.	More frequent or intense
u /	Detailed discussions about death, suicide, or harming		_	arguments
	someone else (underline			Verbally abusive
	appropriate word)			Physically abusive
	,		5.	Persistently withdrawn or less involved with people
Ups	et Behavior		6	Intentional avoidance of
1	. Increasingly irritable, tearful, or		0.	supervisor
	agitated		7.	Expresses frustration or
L 2	3 1		,	discontent
□ 2	rambunctious		8.	Change in frequency or nature
_ 3	 Unpredictable or out-of-context displays of emotion 		_	of complaints
□ 4	Unusual fear ("They're out to get			Complaints by co-workers
	me.")		10.	Cynical, "distrustful of human nature" comments or behaviors
 5	Lack of appropriate caution		11	Unusual sensitivity to advice or
	. Detailed discussion about using	_		critique of work
	drugs and/or alcohol		12.	Unpredictable response to
_				supervision
_	son Under Pressure		13.	Requires excessive advice or
山 1	. Unfounded accusations toward			guidance to complete work
	others, i.e., persecuted Secretive behaviors		_	
	. Secretive benaviors . Memory problems (difficulty	Ot	her	Behaviors (Please specify):
_)	recalling instructions, data, past			
	behaviors)			
	Evenesive fetigue			

Taking Action

How to Document Observable Behaviors

Proper and careful documentation is needed and is an essential part of effective monitoring of troubled and potentially violent individuals. Without such a record to substantiate problem behaviors, effective confrontation may be thwarted.

The "Behavioral 'Red Flags' Observation Checklist" and the "Job Performance/Attendance Record" (attached) are ideal for use in this process. The visual presentation of problems, combined with the written record, is very effective in helping the worker understand the deficiency.

As with any corrective action process, accurate documentation is required of all verifiable facts contributing to the unacceptable work situation. This consists of a set of notes describing:

- What was observed (including incidents of symptomatic behaviors listed above) and what effect these incidents had on the job performance and fellow workers;
- When it occurred (dates, times, and places);
- Who witnessed it:
- Your action, if any, and what was discussed with employee.

Actual Incidents of Violence or Potential Violence

- If threat is imminent, call police at 911 (on state phone call 9-911) and report to first-line supervisor, your CMT member, or a designated agency representative.
- If danger is not imminent, make an immediate investigation by interviewing the
 person who reports the threat as well as any other witnesses to the incident.
 This interview should be conducted according to your agency policy. For safety
 reasons, at least two interviewers should be present if at all possible. Gather as
 much information as possible about the threat and the person making it.
 Document this information in detail.
- Report findings to first-line manager/supervisor, your CMT member, or a
 designated agency representative to assess potentially violent employees and
 to review the documented information and decide if further action is necessary.
- · Consult with EAS for suggestions and referral, if appropriate.

BE DISCREET, SO AS NOT TO CREATE AN INCIDENT WHERE NONE EXISTS.

JOB PERFORMANCE/ATTENDANCE RECORD

Employee:	Supervisor:		
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	30	24	23	20	41	40	20 27	27	22	25	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28
25	30						4	28	29	30	31			24	25	26	27	28	29	30	29	30	31				

DATE	SITUATION DESCRIPTION AND ACTION TAKEN, IF NECESSARY	DATE	SITUATION DESCRIPTION AND ACTION TAKEN, IF NECESSARY
<u>.</u>			
			(Continue Documentation On Back)

- ◆ Outstanding Performance
- Sick
- X Tardy
- On-The-Job Problem
- ☐ Unscheduled Vacation Leave
- # Unauthorized Absence

Olympia E.A.S. (360) 753-3260



Seattle E.A.S. (206) 281-6315

Acknowledge good performance

regularly. Take corrective action every time there is a major or repeated minor problem.

Be fair. Be consistent.

Spokane E.A.S. (509) 482-3686



DATE	SITUATION DESCRIPTION AND ACTION TAKEN, IF NECESSARY	DATE	SITUATION DESCRIPTION AND ACTION TAKEN, IF NECESSARY
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SAMPLE

Threat Incident Report

(Agency) policy should require employees to report all threats or incidents of violent behavior which they observe or are informed about to the Designated Management Representative (DMR). The DMR should take the steps necessary to complete a threat incident report as quickly as possible, including private interviews of the victim(s), and witness(es). The report will be used by the Agency to assess the safety of the workplace and to decide upon a plan of action. The following facts should be included in the threat incident report:

- Name of threat maker and his/her relationship to the (Agency) and the recipient
- Name(s) of the victim(s) or potential victim(s)
- When and where incident occurred
- · What happened immediately prior to the incident
- What past events may have triggered the incident (history)
- The specific language of the threat
- Any physical conduct that would substantiate an intention to follow through on the threat
- How the threat-maker appeared (physically and emotionally)
- Names of others who were directly involved and any action(s) they took
- How the incident ended
- · Names of witnesses not directly involved
- What happened to the threat-maker after the incident
- Names of supervisory staff involved and how they responded
- The steps which have been taken to ensure that the threat will not be carried out
- Suggestions for preventing workplace violence in the future.

The DMR and the Threat Management Team should record elements of the threat incident report and any subsequent actions relating to the incident in a tracking system for use. Such systems range from simple card files to commercially available relational databases. The tracking system as well as all investigative files should be kept secure and maintained separately from other records.

This document is a SAMPLE only.

Review your agency policy and review this document with your Human Resources and Attorney before use.

Domestic Violence

Introduction

Domestic violence is a serious form of abuse that has been ignored or condoned for centuries. It is considered the least reported crime in the United States. The State of Washington is no longer willing to ignore this problem and is taking an active role in developing strategies to help victims of domestic violence find the services and the assistance they need.

Domestic violence may occur at home, but it also comes to work and affects the bottom line of every business and public sector organization. Women who are abused at home are at risk for increased health costs, absenteeism, turnover and stress in the workplace, as well as lost productivity. For many abused women, the workplace is not safe because stalking, threats and violence follow them to work. They and their coworkers are also at risk for lowered employee morale resulting in poorer quality products and customer service. All employees are also at risk of real physical danger. And though a clear 95% of all reported domestic violence is perpetrated against women, men are victims of domestic violence as well. *In light of this, "she" is used throughout to designate "he" or "she."*

Definition of Domestic Violence

Though domestic violence can appear to be a single event, it is usually a pattern of behaviors used against a victim and consists of a variety of abuses occurring many times throughout the relationship. One battering builds on past batterings or other instances of abuse and sets the stage for future episodes, and victims respond to the entire pattern of abuse rather than simply to one episode or one tactic.

Domestic violence includes:

- Conduct perpetrated by adults or adolescents against their partners in current, former or perceived relationships.
- A pattern of assaultive and coercive behaviors, including physical, sexual, and psychological attacks as well as economic coercion.
- A combination of physical attacks, verbal threats, and controlling tactics used by perpetrators that result in fear, as well as physical, psychological and emotional harm to victims and their children.
- A pattern of purposeful behavior directed at achieving compliance from and/or control over the victim.

Agency Issues/Considerations

Agency Policy/Procedures

Check your agency policy regarding domestic violence. If there is none, request that a committee be appointed and that it develops one immediately. EAS can provide sample policies for this purpose.

When developing policy, it is important to understand that federal, state and local laws governing the workplace often restrict employers from making certain inquiries about the health or home life of their employees. This does not mean employers should ignore signs of possible domestic abuse. In some cases, it is appropriate for the manager/supervisor to make work-related inquiries. You should always take prompt steps to ensure the safety of your employees. Management support is critical to developing, implementing and maintaining your agency domestic violence policy.

Some Legal Questions to Consider

- What laws or regulations are already affecting your agency regarding domestic violence: city, state, federal. (OSHA, Workers' Compensation, Risk Management, etc.)
- What do you know about restraining and protection orders? What about stalking laws? Do you have documentation requirements when an abuser is harassing employees?
- What are the agency's legal liabilities? How does a supervisor/manager find out about these legal liabilities?
- How does your agency honor privacy and confidentiality? When does securing a safe workplace take precedence over these policies or existing standards?

Accommodations to Consider

- Leave Policies, With and Without Pay
- Flex Time Options
- Transfer/Flexible Work Assignments

Resources

Connections to resources should be made before the situation escalates, if possible. Call EAS for help, or call the Crisis Line or 911. These lines are not just for emergencies. They are also a means of preventing violence.

There is a list of **Domestic Violence Resources** on page 22 in this booklet.

Recognizing Warning Signs of Domestic Violence in the Workplace

The following warning signs in the workplace may indicate various problems, not just domestic violence. Some indicators that an employee may be a victim of domestic violence could include:

- Repeated bruises or injuries, often attributed to "falls," "being clumsy," or "accidents."
- Inappropriate/out of season clothes with long sleeves, turtlenecks, scarves, hats, sunglasses, and unusually heavy makeup.
- High rate of absenteeism, lateness, missed appointments, and leaving work early.
- Signs of being frightened and anxious, easily startled, lack of concentration, easily confused.
- Changes in job performance, difficulty remembering instructions, repetition of errors, slow work pace.
- Unusually quiet, reluctant to join the work group for informal activities, withdrawn and depressed, eats lunch alone, has been seen crying.
- Unusual number of phone calls from family member, strong reaction to these calls, reluctance to converse or respond to phone messages.
- Sensitive about home life or hints that there is trouble at home. Comments may include references to bad moods, anger, temper, alcohol or drug abuse.
- Disruptive personal visits to the workplace from present or former relationship partner or spouse. She may ask you not to talk about certain things if partner or former partner shows up at work.
- Observing partner criticizing, making demands, and making employee account for time and activities.
- Expressing fears about losing her job.

REMEMBER:

DOMESTIC VIOLENCE IS NOT ABOUT ANGER, BUT ABOUT POWER AND CONTROL OF ONE PERSON OVER ANOTHER.

What to Do

- Honor the victim's privacy. Do not allow the situation to be a topic of office gossip.
 Protect the individual's confidentiality to the greatest possible extent.
- Determine a good time and place to talk. Once a dialogue has been established, ask what assistance, if any, would be most useful to the employee. She might not want the employer to take any action, or may have some specific requests such as asking for help to arrange time off for court appearances; asking for security escorts to the car; asking that calls from the abuser not be transferred to her.
- Listen without judgment. Do not moralize or criticize. Give her plenty of time to talk.
 Listening comes first and often for a long time before discussing solutions. Her
 comments about the abuser will often be "mixed messages," expressing both good
 and bad feelings about him.
- Do not say "get out" or "why don't you leave?" These are not safe pieces of advice.
 The most dangerous time for an abused partner is when she leaves the abuser.
 Each situation is different. Reasons for staying or leaving are complex and varied.
- Emphasize that you are concerned. Communicate your support and that the victim is not responsible for what is happening.
- Let her know that you and the agency believe that verbal, emotional and/or physical abuse in a relationship is <u>never</u> acceptable. There are no excuses.
- Let her know that domestic violence is a crime and that protection can be sought from the courts. Suggest the individual contact EAS or agency staff who can assist her in this process or in connecting her with a victim advocate.
- Allow the individual to make decisions for herself. Do not try to diagnose or treat the
 problem yourself. Whenever possible, indicate your support for the choices she is
 making. Ask if you can contact EAS, the supervisor or someone else in the agency
 who can help.
- Suggest the person fill out a safety plan (see sample); let her know you or someone
 else can help her do this. When there is a restraining or protection order, a safety
 plan is a necessity.
- Four simple things to say:
 - 1. I am afraid for your safety.
 - 2. I am afraid for the safety of your children.
 - 3. The violence and abuse will only get worse.
 - 4. You don't deserve to be abused.

Sample Safety Plan at Work

Factors	Description
Protection or Restraining Orders	
Emergency Contact Numbers	
Usual Travel Route Between Work & Home	
Safe Route Alternative	
Vehicle Descriptions	
Parking	· ·
Photo of Abuser	
Route of Escape and Safe Places in the Workplace	
Methods of Summon Help (code words, security buttons, etc.)	
Specific Health Info	
Child Care Options	
Copies of Important Documents	
Savings Account	

When A Co-Worker is at Risk

- Call 911; local Domestic Violence Hot Line number; local Crisis Lines.
- Advise the co-worker to talk to the supervisor, human resource person, security and to call the Employee Advisory Service.
- Help the co-worker complete a safety plan, including recent photograph.
- Designate a code word or phrase so others can be alerted to danger.
- Is the workstation away from public access, stairs, and elevators? If not, can it be moved?
- Can someone walk her to the car or public transit stop? Are there any car pools in her residential area?
- Can others answer the phone? How can phone calls be screened? Can the phone number be changed? Can Caller ID be installed in the work unit?
- Which co-workers can most effectively and appropriately assist in the co-worker's protection?

What if the Perpetrator of Domestic Violence Works in Your Agency?

You can help. Wife and girlfriend abuse has been the subject of jokes far too long. If you observe an employee making jokes about domestic violence, using work hours to harass a victim by telephone, using agency vehicles to follow or to see the victim, there are things you can do. Although confronting the perpetrator is difficult, remember it is even more difficult for the victim. EAS can help you prepare to talk with him. The following options will assist you:

- Tell the person that the subject of domestic violence is not funny. Indicate you are uncomfortable when people insult or put down their spouse or partner.
- Turn and walk away from stories or jokes about domestic violence.
- Don't respond or reinforce the behavior in any way. Don't agree with any statements that suggest his partner is at fault. Remember, there are no excuses for domestic violence.
- Ask your agency to create procedures for addressing such inappropriate behavior and disciplining employees who use work time for domestic violence, including phone calls intended to control and/or intimidate his partner or former partner.
- Find out about treatment programs in your area. Urge the perpetrator to attend or to talk to someone.
- Remember EAS is there to help you with your concerns about how to help.

Governor's Executive Order on Domestic Violence in the Workplace

Executive Order 96-05 directs executive agencies to adopt and implement personnel policies that:

- Clearly direct that the state will not tolerate domestic violence in state offices, facilities, work sites, or while an employee is conducting state business;
- Provide assistance to domestic violence victims in a confidential setting;
- Assure that every reasonable effort will be made to adjust work schedules or location, to allow employees who are victims to receive medical treatment, counseling or to relocate for safety reasons;
- Encourage employees who are perpetrators of domestic violence to seek assistance;
- Provide training to employees on these policies and domestic violence awareness.

Call the Employee Advisory Service for a full copy of Executive Order 96-05 and suggested sample policy.

Domestic Violence Resources

Washington State

Domestic Violence 24-Hour HotlineV/TTY	1-800-562-6025
Coalition Against Domestic Violence	(360) 754-7583
Office of Crime Victim's Advocacy	1-800-822-1067
Children's Protective Services (CPS) Hotline	1-800-562-5624
Alcohol/Drug 24-Hour Help Line (offers referralinformation for domestic violence)	1-800-562-1240

Department of Personnel

Employee Advisory Service

Olympia	·	(360) 753-326
	TTY	(360) 664-356
Seattle		(206) 281-631
Spokane		(509) 482-368

National Domestic Violence Hotline	1-800-799 SAFE
TTY'	1-800-787-3224

For further information about domestic violence and victims' services, workplace policies, education, economic and legal issues, corporate social responsibility, or information on any of the above activities and how to implement them in your workplace contact:

- Education Coordinator at the Washington State Coalition Against Domestic Violence, (360) 754-7583
- National Workplace Response Center on Domestic Violence, at project of the Family Violence Prevention Fund, (415) 252-8900
- Public Education Specialist at the National Resource Center on Domestic Violence, 1-800-537-2238
- Your local domestic violence program. The number is available from the Domestic Violence 24-Hour Hotline and is also listed in the blue pages of your phone book under the headings "Abuse, Intervention, Family or Domestic Violence, or Emergency Shelters."